REMARKS

I. Introduction

In the Office Action, claims 1-41 have been examined. Claims 8-17 and 25-40 are allowed. Claims 1-7, 18-24 and 41, however, are rejected. Specifically, claims 1-3, 18-20 and 41 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,434,395 to Storck et al. (hereinafter "Storck"); and claims 4-7 and 21-24 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Storck.

II. Allowable Subject Matter

Claims 8-17 and 25-40 are allowed. Applicant amends claims 27, 28 and 29 to more appropriately depend from claims 26, 25 and 25, respectively.

III. Claim Rejections – 35 U.S.C. § 102(b)

As noted above, claims 1-3, 18-20 and 41 stand rejected under § 102(b) as allegedly being anticipated by Storck.

Claims 1 and 18 are the only rejected independent claims. Claim 1 recites, *inter alia*, "a card assignment information receiver that if the card insertion identifier identifies that the card is inserted, receives predetermined card assignment information from a card driver." Thus, claim 1 includes a card assignment information receiver that receives predetermined card assignment information from a card driver, *i.e.*, a software program.

Conversely, Storck discloses that an access protocol contained in a microcircuit of a card

is loaded into RAM memory 14a, 14b or 14c to which the microcircuit is connected (Storck: col.

11, lines 16-21). Thus, Storck discloses loading the access protocol contained in the microcircuit

of the card, that is, from a hardware card and from a software program, into RAM memory 14a,

14b or 14c.

Furthermore, claim 1 recites "a data transfer mode establisher that establishes the data

transfer mode for the card based on the card assignment information." Thus, claim 1 includes a

data transfer mode establisher that establishes the data transfer mode actively for the card based

on the card assignment information.

Conversely, Storck discloses a communication unit 11 having a task limited to carrying

out comparison of the data contained in the two protocols, the criteria for compatibility being

always determined by the microcircuit of the card which is the "master" of the operations during

the envisaged transaction (Storck: col. 11, lines 21-33). In Storck, if the criteria are satisfied, the

"master" card ascertains that transaction between the two cards is possible (*Id.*). The

communication unit is now responsible for setting up a link between the serial output from the

first card and the serial input of the second card, the actual process of transfer being under the

control of the card which is the "master" in the transaction (*Id.*). Thus, Storck discloses that the

communication unit processes the access protocol and sets up a link between the cards, with the

actual process of transfer being passively under the control of the card which is the master in the

transaction. To perform this master role, the cards have the general structure of a microcircuit

including a microprocessor 22, data memory 23 and a program memory 24 (Storck: col. 9, line 57 to col. 10, line 7).

For at least these exemplary reasons, claim 1 is not anticipated by Storck. Claim 18 recites features similar to those found in claim 1 and, thus, is not anticipated by Storck based on a rationale analogous to that set forth above for claim 1. Accordingly, claims 2-3, 19-20, 41/18, 41/19 and 41/20 are not anticipated by Storck, at least by virtue of their dependency.

IV. Claim Rejections – 35 U.S.C. § 103(a)

As noted above, claims 4-7 and 21-24 stand rejected under § 103(a) as allegedly being unpatentable over Storck.

In view of the deficiencies of Storck set forth above for claims 1 and 18, claims 4-7 and 21-24 are patentable over the proposed modification of Storck, at least by virtue of their dependency.
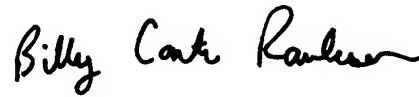
V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue

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